

Application Serial No: 10/561,489  
Responsive to the Office Action mailed on: March 20, 2008

### **REMARKS**

This Amendment is in response to the Office Action mailed on March 20, 2008.  
Claims 1-15 are pending.

#### **PTO-1449 Form:**

Please note that the Form 1449 that was submitted with the Information Disclosure Statement filed December 20, 2005 was not initialed on the Form 1449 sent with the current Office Action. Confirmation of consideration for these references cited in the Form 1449 is requested with the response to this Amendment.

#### **Drawing Objections:**

The drawings are objected to for failing to comply with 37 CFR 1.84(p)(5). In particular, Figure 1B is objected to for having a reference numeral 30 that is not mentioned in the description. The specification is amended at 10, line 32-page 11, line 4 to correct this minor omission. Withdrawal of this objection is requested.

#### **Specification Objections:**

Claims 2 and 15 are rejected as being indefinite. Claim 2 is amended editorially and no longer contains the language that the present Office Action found indefinite. Claim 15 is cancelled without prejudice or disclaimer. Withdrawal of this rejection is requested.

#### **§102 Rejections:**

Claims 1-15 are rejected as being anticipated by "Light diffraction from a bilayer lattice of micropsheres enhanced by specular resonance", *J. Appl. Phys.*, vol. 95, no. 3, February 1, 2004, pp.793-805 ("Miyazaki"). This rejection is traversed. The present application claims priority to JP Application No. 2003-270002 filed in the Japanese Patent Office on July 1, 2003. Enclosed is a verified translation of the priority applications. The prior art date of Miyazaki is February 1, 2004, which is subsequent to the priority date of the present application. Withdrawal of Miyazaki as a prior art

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reference is requested. Accordingly, this rejection is now moot. Applicants do not concede the correctness of this rejection.

Conclusion:

Applicants respectfully assert that claims 1-15 are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



Dated: June 20, 2008

Respectfully submitted,

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